

COUNTY OF LOUDOUN
DEPARTMENT OF BUILDING AND DEVELOPMENT

To: Charles Yudd, Assistant County Administrator
From: Scot Ferris, Planner III
Through: Michael Seigfried, Assistant Director for Land Subdivision
Date: October 11, 2007
Subject: **Route 659 Road Dedication /Villages of Waxpool**

BACKGROUND:

This memo is in response to a request to put together a timeline of the road dedication activities along the east side of Route 659 by the owners of the Villages of Waxpool project.

TIMELINE:

Initial Preliminary Plat Application

SBPL 2000-0026 - VILLAGES OF WAXPOOL 1 & 2

185 Lots (per the cluster requirements)

187.6 acres

Zoning CR-1

Approved 04/16/02

This plat showed an ultimate ROW of 120' for Route 659 (60' on either side of the future centerline) and showed ROW dedication along the entire length of the property. The width of dedication varied according to where the 60' distance from the future centerline for Route 659 coincided with the property.

There are two labels on the plat for two separate dedication areas — one showing an "APPROXIMATE ROW DEDICATION OF 48,609 SQ. FT./1.1159 ACRES" [for the area between the southern boundary and the proposed subdivision road leading into the project – see Exhibit 1] and one for the northern section - "APPROXIMATE ROW DEDICATION OF 82,137 SQ. FT./1.8856 ACRES" [for the area between the proposed subdivision road leading into the project and the northern project boundary – see Exhibit 2]. The total of these two proposed dedication areas was shown as 130,746 sq. ft. or 3.0015 acres.

This application contained the following note concerning Route 659 (Exhibit 3):

BELMONT RIDGE ROAD - ROUTE 659 NOTES

- 1) THE APPLICANT WILL DEDICATE RIGHT-OF-WAY FOR BELMONT RIDGE ROAD - ROUTE 659, ACROSS THE ENTIRE FRONTAGE OF THE PROPERTY, ALONG AN ALIGNMENT DEEMED ACCEPTABLE BY THE LOUDOUN COUNTY DEPARTMENT OF TRANSPORTATION.
- 2) THE APPLICANT WILL CONSTRUCT THE MAIN ENTRANCE INTO THE VILLAGES OF WAXPOOL I AND II, AT BELMONT RIDGE ROAD, WITH A SECTION ADEQUATE ENOUGH TO CONTAIN TWO (2) THROUGH LANES (NORTH BOUND AND SOUTH BOUND) AS WELL AS RIGHT AND LEFT TURN LANES INTO THE SITE.
- 3) THE APPLICANT WILL PROVIDE TO THE COUNTY AT FIRST RECORD PLAT A TRANSPORTATION CONTRIBUTION EQUAL TO THE COST OF THE CONSTRUCTION OF ONE LANE ACROSS THE REMAINING FRONTAGE OF THE PROPERTY ALONG BELMONT RIDGE ROAD - ROUTE 659.

As previously noted, the project was proposed under the CR-1 cluster requirements which permitted lots to be less than 40,000 square feet provided that open space was provided in an equivalent amount such that the density of 1 lot per 40,000 square feet is maintained. The overall site calculations shown on the approved preliminary plat are as follows:

Total Site Area =	187.7601 acres
Total Lot Area (185 lots) =	96.4377 acres
ROW area internal roads and Waxpool Road =	14.7952 acres*
ROW area Route 659 =	3.0015 acres*
Total ROW =	17.7967 acres
Open Space required =	73.4478 acres
Open Space provided =	73.5257 acres

Based upon the above, the applicant was providing approximately 0.0779 acres (3393 square feet) of excess open space.

* Not shown on original preliminary. The Table on the preliminary only shows Total ROW dedication. These figures are based upon the "Total", minus the area shown on the plat for Route 659 dedication.

A-42

Subsequent SBPL Application

SBPL 2002-0049 - ADDITION TO VILLAGE OF WAXPOOL 1 & 2

193 Lots (addition of 8 new lots per cluster requirements)

196.88 Acres (Addition of 9.12 acres)

Zoning R-1

Approved 07/15/03

Subsequent to this application, two additional adjacent parcels were acquired; the Radwan parcel and the McKinney parcel. The Radwan parcel had approximately 220' of frontage along Route 659 that was not accounted for in the ROW dedication estimate made in SBPL 2000-0026 (see Exhibit 4).

This preliminary plat was a revision to the previously approved SBPL 2000-0026 to add the Radwan and McKinney parcels and to add new additional lots from the additional acreage. The added lots necessitated a slight redesign of the lots and internal street layout.

There were no additional notes concerning the ROW dedication on this plat (see Exhibit 5).

The overall site calculations shown on the approved preliminary plat are as follows:

Total Site Area =	194.9592 acres
Total Lot Area (193 lots) =	108.8715 acres
ROW area internal roads and Waxpool Road =	13.7800 acres**
ROW area Route 659 =	3.0015 acres**
ROW Radwan parcel =	0.0824 acres**
Total ROW =	16.8639 acres
Open Space required =	68.3553 acres
Open Space provided =	69.2239 acres

Based upon the above, the applicant was providing approximately 0.8686 acres (37836 square feet) of excess open space.

** Not shown on original preliminary. The Table on the preliminary only shows Total ROW dedication. These figures based upon the "Total", minus the area shown on the plat for Route 659 dedication (SBPL 2000-0026) and Radwan parcel.

A-43

Easement Application for Dedication of ROW along Route 659

ESMT 2003-0097 - DEDICATION PLAT FOR BELMONT RIDGE ROAD (ROUTE 659)

Dedication of 3.35037 Acres - Approved 04/07/04

This application dedicated the frontage for Route 659 along the entire property frontage. This application dedicated ROW from four different PIN numbers, for a total of 3.35037 acres (this included a dedication of 3,592 sq. ft. or 0.08248 acres from the Radwan parcel).

Phase I Record Plat SBRD 2003-0094 /POCO 2005-0004

VILLAGES OF WAXPOOL – SECTION 1

104 Lots and 3 Open Space Lots POCO approved 10/24/05

Upon approval and recordation of SBRD 2003-0094, the engineer discovered technical deficiencies that need to be corrected on the plat. Therefore a Plat of Correction (POCO) was filed to correct these deficiencies. The POCO was subsequently approved and recorded.

The overall site tabulations shown on the POCO reflect the following:

Total Site Area =	191.57405 acres
Total Lot Area (104 lots) =	58.97971 acres
ROW dedication =	8.54333 acres
Open Space =	37.69534 acres
LCSA Lot (not eased) =	0.26763 acres
Total Section 1 =	105.48602 acres

Residue Area (191.57405 acres-105.48602) = 86.08803 acres

Phase II Record Plat

SBRD 2005-0023 –VILLAGES OF WAXPOOL – SECTION 2

84 Lots and 4 Open Space Lots

Approved 03/09/2007

The overall site tabulations shown on the Phase II record plat reflect the following:

Total Site Area =	84.84436 acres
Total Lot Area (84 lots) =	45.67004 acres
ROW dedication =	6.67975 acres
Open Space =	30.29036 acres
Total Section 2 =	82.64016 acres

Residue Area (84.84436 acres-82.64016) = 2.20420 acres

DISCUSSION:

The applicant has maintained that density was lost as a result of dedicating additional ROW along Route 659, and wishes to obtain a density credit.

The following Table (which is part of the Section 2 record plat) illustrates the number of lots platted to date and the required amount of open space.

MINIMUM OPEN SPACE AREA: OPEN SPACE SHALL BE PROVIDED IN A SUFFICIENT AMOUNT SUCH THAT A GROSS DENSITY OF ONE LOT PER 40,000 S.F. REQUIRED IS CALCULATED BASED ON THE OVERALL PARCEL EXCLUDING MAJOR FLOODPLAIN, ROADS, AND STEEP SLOPES.

OPEN SPACE REQUIRED (SECTION 1): (104 LOTS < 40,000 S.F.) x 40,000 S.F.=4,160,000 S.F.)—(THE TOTAL AREA CONTAINED IN THE LOTS = 2,568,156 S.F.) = REQUIRED AMOUNT OF OPEN SPACE (4,160,000 S.F. -2,568,156 S.F. = 1,590,844 S.F. OR 36.52 ACRES OF REQUIRED OPEN SPACE).

OPEN SPACE REQUIRED (SECTION 2): (84 LOTS < 40,000 S.F.) x 40,000 S.F.=3,360,000 S.F.)—(THE TOTAL AREA CONTAINED IN THE LOTS = 1,989,387 S.F.) = REQUIRED AMOUNT OF OPEN SPACE (3,360,000 S.F.-1,989,387 S.F. = 1,370,613 S.F. OR 31.48 ACRES OF REQUIRED OPEN SPACE).

<u>OPEN SPACE PROVIDED:</u> <u>(SECTION 1):</u>	PARCEL "A"	486,438 S.F.	OR	11.16708 AC.
	PARCEL "B"	379,791 S.F.	OR	8.71880 AC.
	PARCEL "C"	743,878 S.F.	OR	17.07709 AC.
	PARCEL "D" (OPEN SPACE EASEMENT)	31,902 S.F.	OR	0.73237 AC.
	TOTAL	1,642,009 S.F.	OR	37.69534 AC.
<u>OPEN SPACE PROVIDED</u> <u>(SECTION 2):</u>	PARCEL "D" (OPEN SPACE)	331,171 S.F.	OR	7.60264 AC.
	PARCEL "E" (OPEN SPACE)	593,703 S.F.	OR	13.62955 AC.
	PARCEL "F" (OPEN SPACE)	381,945 S.F.	OR	8.76825 AC.
	PARCEL "G" (OPEN SPACE)	12,629 S.F.	OR	0.28992 AC.
	TOTAL	1,319,448 S.F.	OR	30.29036 AC.

OVERALL OPEN SPACE REQUIRED (TOTAL) 2,961,457 S.F. OR 67.98570 AC.
OVERALL OPEN SPACE PROVIDED (TOTAL) 2,961,457 S.F. OR 67.98570 AC.

As can be seen from the Table, the applicant has provided the minimum required amount of open space for the development to date

The Zoning Administrator has opined that the formula for determining required open space is as follows:

[# of lots < 40,000-sq. ft. x 40,000-sq. ft]. — total area in lots = Required Open Space.]

Based upon the Section 2 record plat, the residual acreage consists of 2.20420 acres. Developing the residual property at a density of 1 lot per 40,000 square feet, the applicant could create a maximum of 2 lots and maintain a residue of 16,015 square feet (0.36765 acres). This would result in a total of 190 lots for the development which is 3 lots less than that shown on the preliminary plat.

A-45

ANALYSIS:

As identified on SBPL 2002-0049 the Total Site Area was shown as **194.9592 acres**. The total amount of ROW dedication for Route 659 (including the Radwan Parcel) was shown as **3.0839 acres**, leaving a residual acreage of **191.8753 acres**.

Easement application (ESMT 2003-0097) dedicated **3.35037 acres** along Route 659 for public street purposes. This exceeded the amount shown on the preliminary plat by **.26647 acres** or **11,607 square feet**. **It should be noted that the preliminary plat showed an excess of required open space of .8686 acres or 37,836 square feet.** Therefore in accordance with the calculations shown on the preliminary plat the additional dedication would not have an impact on lot reduction. It would only reduce the amount of excess open space to **.60213 acres** or **26,228.78 square feet**.

During the review of the Phase I record plat, it was determined that the LCSA pump station shown on the preliminary plat on an open space parcel as open space, was required to be on a separate lot with a minimum lot size of 1 acre. Although LCSA does not need an acre for a pump station, the Zoning Ordinance requires this amount of land. After discussions with Zoning staff, it was determined that an open space easement placed on a portion of the property would qualify as open space to meet Zoning Ordinance requirements. Therefore, **11,658 square feet** of the 1 acre lot created for the pump station was not eligible as open space. These 11,658 square feet were originally shown as open space on the preliminary plat. Thus, subtracting this amount from the excess open space identified on SBPL 2002-0049, would continue to leave **14,570.78 square feet** or **0.33450 acres** of excess open space.

Based upon the above analysis it does not appear that the additional ROW dedicated for Route 659 or the reduction in open space due to the LCSA pump station would result in the applicant losing lots.

SUMMARY:

The actual loss of lots appears to result in discrepancies between the overall site area shown on the preliminary plat and the actual surveyed area, and additional acreage necessary for ROW dedication for internal streets and Waxpool Road.

The following illustrates the discrepancies.

SBPL 2002-0049/ADDITION TO VILLAGE OF WAXPOOL 1 & 2

Total Site Area	194.9592 acres
minus Route 659 dedication (per ESMT)	<u>3.35037 acres</u>
Remaining Site Area	191.60883 acres
Area in Lots (193)	108.8715 acres
ROW internal roads and Waxpool	13.7800 acres
Open Space required	68.3553 acres
Open Space provided	68.95733 acres

A46

← LMS electronic copy

POCO 2005-0004 (SECTION 1)/SBRD 2005-0023 (SECTION 2)
(Route 659 ROW previously dedicated)

Total Site Area	191.24865 acres
Area in Lots (189)	104.64975 acres
Uneased LCSA Lot	0.26647 acres
ROW internal roads and Waxpool	15.22308 acres
Open Space required	67.98570 acres
Open Space provided	67.98570 acres
Residue	2.20538 acres

Based upon these numbers it appears that the actual site area was **.36018** acres less than that shown on the preliminary plat (191.60883 acres-191.24865 acres). In addition, it appears that as a result of final engineering an additional **1.44308** acres (15.22308 acres-13.7800 acres) was necessary for ROW for the streets.

If these two numbers are added to the 2.2053 acre residue, a total of 4.00856 acres would exist which would permit the addition of 4 lots to the project ($4.00856 * 43,560/40,000 = 4.00856$).

A.47

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